



United States Patent and Trademark Office

MAILED

OCT 28 2004

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

5231

Venable, Baetjer, Howard and
 Civiletti, LLP
 P.O. Box 34385
 Washington, DC 20043-9998

Appeal No:
 Appellant:
 Application No:
 Hearing Room:
 Hearing Docket:
 Hearing Date:
 Hearing Time:
 Location:

Paper No:	4142
2004-2028	
Fagiolini, Nilo, et.al	
09/423,746	
B	
A	
Wednesday, January 12, 2005	
9:00 AM	
BOSTON ROOM	
USPTO - ALEXANDRIA, VA	

NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47.
 The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up.
 The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED.
 This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available. Failure to file this form within this time period will be construed as a waiver of the request for oral hearing.

37 CFR § 1.136(a) does not apply.
 By order of the Board of Patent Appeals and Interferences

BPAI HEARINGS FAX No:
 (571) 273-0299
 USPTO Central Fax No.
 (703) 872-9306

Clerk of the Board (571) 272-9797

BPAI Mailing Address:
 BOARD OF PATENT APPEALS AND INTERFERENCES
 UNITED PATENT AND TRADEMARK OFFICE
 P.O. BOX 1450
 ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE:

HEARING ATTENDANCE CONFIRMED
 HEARING ATTENDANCE WAIVED

James Bluelly
 Signature of Attorney/Agent/Appellant

11/16/04 26032
 Date Registration No.

Names of other visitors expected to accompany
 counsel:

BEST AVAILABLE COPY

VENABLE
ATTORNEYS AT LAW575 7th Street, N.W.
Washington, DC 20004
(202)344-4000, Fax (202) 344-8300
WASHINGTON, DC - MARYLAND - VIRGINIA

TO: BPAI Hearings	FAX NUMBER: 571-273-0299 703-872-9306	PHONE NUMBER: 571-272-9797
SENDER: Marina Schneller	SENDER'S FAX NUMBER: 202-344-8300	SENDER'S PHONE NUMBER: 202-344-4000
	SENDER'S ASSISTANT: Marcia D. Coleman	ASSISTANT'S PHONE NUMBER: 202-344-8207
DATE: November 17, 2004	CLIENT/MATTER NUMBER: U.S. Serial No. 09/423,746 Atty Dkt: 32232-152197	PAGES, EXCLUDING COVER: 1

Re: Confirmation of Oral Hearing

If you require assistance with this transmission, please contact the sender.

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by ~~the above address via the U.S. postal service. Thank you.~~